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WILSON, RYAN & CAMPILONGO  
2 115 Sansome Street, 4th Floor  
San Francisco, California 94104  
3 (415) 391-3900  
TELEFAX: (415) 954-0938

4 Laurie J. Bartilson - SBN 139220  
5 MOXON & BARTILSON  
6255 Sunset Boulevard, Suite 2000  
6 Hollywood, CA 90028  
(213) 960-1936  
7 TELEFAX: (213) 953-3351

8 Attorneys for Plaintiff and  
Cross-Defendant CHURCH OF SCIENTOLOGY  
9 INTERNATIONAL

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF MARIN

12  
13 CHURCH OF SCIENTOLOGY INTERNATIONAL, )  
a California not-for-profit )  
14 religious corporation; )  
15 Plaintiffs, )  
16 vs. )  
17 )  
18 )  
19 GERALD ARMSTRONG; MICHAEL WALTON; et )  
al., )  
20 Defendants. )

CASE NO. 157 680

DECLARATION OF LAURIE  
J. BARTILSON IN SUPPORT  
OF PLAINTIFF'S  
OPPOSITION TO DEFENDANT  
GERALD ARMSTRONG'S  
THIRD EX PARTE  
APPLICATION TO CONTINUE  
HEARING ON MOTIONS FOR  
SUMMARY ADJUDICATION

Date: April 7, 1995  
Time: 9:00 a.m.  
Dept: 1  
Trial Date:  
May 18, 1995

WILSON, RYAN & CAMPILONGO  
115 Sansome Street, Suite 400  
San Francisco, California 94104

1 LAURIE J. BARTILSON deposes and says:

2 1. I am one of the attorneys responsible for the  
3 representation of the plaintiff in this action. I have personal  
4 knowledge of the facts set forth in this declaration and could  
5 competently testify thereto if called as a witness.

6 2. Plaintiff's pending motions for summary adjudication were  
7 filed and served on February 23, 1995, and March 17, 1995.

8 3. This is the third time that Armstrong has requested a  
9 continuance of the hearing on these motions. Each time, this Court  
10 granted him an extension.

11 4. Armstrong first sought a continuance of the original  
12 hearing date on plaintiff's motion for summary adjudication of the  
13 twentieth cause of action one week before his opposition was due to  
14 be filed. At that time, Armstrong claimed, by way of declaration,  
15 that he was unable to prepare the needed opposition because his  
16 friends, Michael Walton and Michael Douglas, had refused to loan him  
17 money. Armstrong claimed that Walton and Douglas told him that they  
18 would not help him because they were "terrified" of the plaintiff.  
19 A true and correct copy of the declaration which Armstrong filed in  
20 support of that application is attached hereto as Exhibit 1. On the  
21 basis of this declaration, Armstrong obtained a continuance of the  
22 hearing on plaintiff's first summary adjudication motion of two  
23 weeks. The hearing was postponed until April 14, 1995.

24 5. After Armstrong obtained the continuance, both Walton and  
25 Douglas wrote to Armstrong to complain about Armstrong's false  
26 declaration. Each sent a copy of his letter to me. A true and  
27 correct copy of Mr. Walton's letter, dated March 20, 1995, is  
28 attached hereto as Exhibit 2. A true and correct copy of Mr.

1 Douglas's letter, dated March 31, 1995, is attached hereto as  
2 Exhibit 3.

3 6. On March 29, 1995, Armstrong again sought and obtained a  
4 continuance of the summary adjudication motions. A true and correct  
5 copy of the declaration which he filed in support of that  
6 application is attached hereto as Exhibit 4. This Court granted him  
7 a continuance of 1 week, moving the hearing on plaintiff's motions  
8 to April 21, 1995 (27 days before trial).

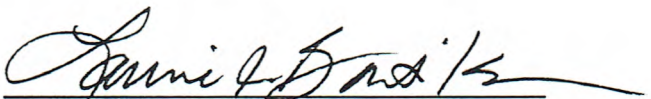
9 7. Yesterday, while I was attending a hearing in this case  
10 before the discovery referee, Armstrong informed me that he intended  
11 to seek yet another continuance today on the grounds that: (1) he  
12 was planning to interview a lawyer who might agree to accept his  
13 case this weekend (whom he would not identify) and (2) he was  
14 attempting to obtain two declarations, which would not be available  
15 tomorrow. He stated that he now wants to move the hearing on these  
16 motions to April 28, 1995, 20 days before trial.

17 I declare under the penalty of perjury under the laws of the  
18 State of California that the foregoing is true and correct.

19 Executed this 7th day of April, 1995 at San Rafael, California.

20

21

  
Laurie J. Bartilson

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1  
2 Gerald Armstrong  
3 715 Sir Francis Drake Boulevard  
4 San Anselmo, California 94960  
5 Telephone: 415-456-8450

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 FOR THE COUNTY OF MARIN

8	CHURCH OF SCIENTOLOGY INTERNATIONAL, )	No. 157 680
9	a California not-for-profit )	
10	religious corporation, )	
11	Plaintiff, )	EX PARTE
12	vs. )	APPLICATION TO
13	GERALD ARMSTRONG; MICHAEL WALTON; )	CONTINUE HEARING
14	THE GERALD ARMSTRONG CORPORATION )	ON MOTION FOR
15	a California for-profit )	SUMMARY ADJUDICATION
16	corporation; DOES 1 through 100, )	OF TWENTIETH CAUSE
17	inclusive, )	OF ACTION OF
18	Defendants. )	COMPLAINT
19		Date: 3/10/95
20		Time: 9:00 a.m.
21		Dept: One
22		Trial Date: 5/18/95

23 TO: CHURCH OF SCIENTOLOGY INTERNATIONAL AND ITS ATTORNEYS  
24 OF RECORD:

25 PLEASE TAKE NOTICE that on March 10, 1995 at 9:00 a.m.,  
26 in Department 1 of the above-entitled Court, located at the  
27 Hall of Justice at the Marin County Civic Center, San  
28 Rafael, California, defendant Gerald Armstrong, in pro per,  
will seek an ex parte order continuing the hearing on  
plaintiff's motion for summary adjudication of the twentieth  
cause of action of its complaint presently set for March 31,  
1995.

This ex parte application is based upon the grounds

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1  
2 that Scientology's motion for summary adjudication seeks an  
3 order which is so overreaching it will cripple defendant and  
4 destroy his litigant's and human rights; that the motion  
5 concerns more than twenty people or entities from whom  
6 defendant must obtain declarations in support of his  
7 opposition; that the motion and supporting papers are over  
8 six inches of documents and concern matters over a twenty-  
9 five year period of defendant's life; that defendant is not  
10 an attorney and not represented by an attorney; that  
11 defendant has no monetary resources nor the office equipment  
12 to generate legal papers; and, that plaintiff Scientology  
13 organization has threatened and intimidated his friends who  
14 would otherwise assist him with funding and equipment into  
15 refusal to help.

16 This ex parte application is based upon this notice,  
17 the attached declaration of Gerald Armstrong, the court's  
18 files and records in this case and such other material as is  
19 presented in support of this application.

20 DATED: March 10, 1995

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23 By: 

Gerald Armstrong

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**DECLARATION OF GERALD ARMSTRONG**

I, Gerald Armstrong, declare:

1. I am the defendant in this case. I am not an attorney, not trained as an attorney, and do not have an attorney's knowledge or skills. Until February 23, 1995 I was represented by attorney Ford Greene.

2. On February 27, 1995 I received from plaintiff Scientology organization its motion for summary adjudication of its twentieth cause of action of its complaint. A copy of its memorandum of points and authorities is appended hereto as Exhibit A. A copy of the order Scientology seeks with its motion is appended hereto as Exhibit B. Scientology seeks a permanent injunction with is overreaching and if granted would hopelessly cripple me as a litigant, and destroy my civil and human rights.

3. Scientology's motion for summary adjudication and supporting documents is over six inches thick. The motion involves over twenty people or other entities who must be contacted to obtain declarations to support whatever opposition I will file.

4. From the time I have been in pro per I have attempted to obtain competent counsel to represent me in this litigation. I have communicated substantively with five attorneys, each of whom has declined to represent me. I have other possibilities for assistance with my case which I am following up at this time. I firmly believe that in

1  
2 the United States there are lawyers with the requisite  
3 courage and interest to successfully defend this case.

4 5. I have been since August, 1990 a renunciant,  
5 seeking only what is necessary to continue to do God's Will,  
6 which, in large part, has been the defense of this action.  
7 The fact of my renunciation is well known to this Court and  
8 I will not repeat that history at this time. I refer this  
9 Court to my declaration/literary work entitled "I Declare"  
10 filed herein. I have, therefore, no monetary resources to  
11 pay an attorney. I am preparing a campaign to ask for funds  
12 from people and organization's around the world who have an  
13 interest in the outcome of this case. Scientology is widely  
14 viewed as a antisocial, dangerous, anti-religious cult which  
15 is a threat to justice, true religion and freedom of  
16 thought, and by telling my story and the issues involved I  
17 believe I can raise funds from that wide field necessary to  
18 retain legal counsel.

19 6. I presently do not have a computer or printer. I  
20 am borrowing the use of the computer on which I am typing  
21 this ex parte application and declaration from Ford Greene,  
22 for whom I work. I cannot, however, use the computer or  
23 office equipment after hours, and my office work for Mr.  
24 Greene on his other cases is full time. I cannot produce,  
25 even if I cannot obtain a lawyer, the legal papers necessary  
26 to defend myself without a computer and printer.

27 7. Approximately three weeks ago I approached my  
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1  
2 friend Michael Douglas of San Rafael to request a loan of  
3 \$5,000.00 to be able to pay some bills and survive, and to  
4 request some help to obtain and set up a computer system to  
5 be able to do my own work. I have been good friends with  
6 Mr. Douglas since 1975. He and his wife are two of the  
7 people whose debts to me I forgave in August, 1990 at the  
8 time of my renunciation. They are two of the Does in the  
9 "fraudulent conveyance" part of this case. According to Mr.  
10 Douglas's testimony in deposition the amount of the  
11 forgiveness was approximately \$80,000.00. Appended hereto  
12 as Exhibit C is an excerpt from Mr. Douglas's deposition  
13 taken August 30, 1994. I had helped Mr. and Mrs. Douglas in  
14 various ways through the years, and assisted them in other  
15 matters which made them money. After I requested the loan  
16 from Mr. Douglas, who, I also knew to have recently come  
17 into a large inheritance, he advised me that because he was  
18 afraid of repercussions from Scientology should he assist me  
19 with a loan he was contacting the organization. He then  
20 reported to me that Scientology, through one of its  
21 Directors, Michael Rinder, had told him that he could not  
22 loan me any money, and that if he did Scientology would make  
23 trouble for him.

24 8. A few days later I was called by Mrs. Douglas and  
25 requested to come to their house at a certain time. When I  
26 arrived there I was met by Mr. and Mrs. Douglas and Mr. and  
27 Mrs. Michael Walton, defendants in the "fraudulent  
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1 conveyance" action. Each one of these people expressed that  
2 he or she had been terrified by the Scientology  
3 organization, and that they could not help me in any way in  
4 the future. The only thing I had done which "involved"  
5 these people in the attack by Scientology, had been to  
6 convey to them unattached gifts or forgive significant debts  
7 the owed me at the time was called to renounce my worldly  
8 wealth.

9  
10 9. I view it as perverse and unlawful that  
11 Scientology, claiming that I had fraudulently conveyed my  
12 assets to the Douglasses and the Waltons, and that these  
13 people were holding these assets for me to make me judgement  
14 proof, should threaten them with litigation or any other  
15 threat, should they help me in my time of need with a small  
16 loan. I also believe it is unlawful for Scientology to  
17 eliminate any chance of my successful defense of this case  
18 by threatening those to whom I have gone for help.  
19 Scientology cannot now take advantage of its improper  
20 actions to beat on me while I'm helpless.

21 10. I am requesting that the hearing on the motion for  
22 summary adjudication be set for April 14, 1995.

23 11. I will be bringing a motion next Monday to  
24 continue the trial date to allow me the opportunity to  
25 obtain counsel and bring such counsel up to speed.

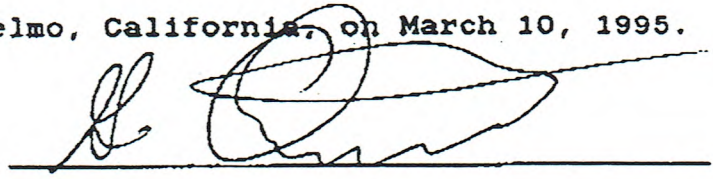
26 12. I advised Scientology attorney, Laurie Bartilson,  
27 in person at 10:30 a.m. yesterday that I would seek a  
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continuance of the hearing date ex parte today if she would stipulate to such a continuance. Ms. Bartilson stated at approximately 1:20 p.m. yesterday that her client had refused to so stipulate.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on March 10, 1995.



GERALD ARMSTRONG



MICHAEL L. WALTON  
ATTORNEY AT LAW  
700 LARKSPUR LANDING CIRCLE  
SUITE 120  
LARKSPUR, CA 94939  
(415) 456-7920

RECEIVED  
MAR 24 1995

March 20, 1995

Mr. Gerald Armstrong  
715 Sir Francis Drake Blvd.  
San Anselmo, CA 94960

Dear Gerry:

I am in receipt of your declaration in support of your Ex Parte Application to continue the summary adjudication hearing. The declaration is inaccurate and misrepresents to the court what I and Solina said to you during our meeting at the Douglasses. I will not presume to correct you with respect to what the Douglasses said; however, I am copying the declaration and this letter to them.

Specifically, neither Solina nor myself ever indicated to you or anyone else at any time that we "had been terrified by the Scientology organization". It is true that the lawsuit in which I am involved with Scientology has forced me to take substantial time away from my family and to incur substantial economic cost. It has angered me; it has inconvenienced me; it has libeled me; it has not "terrified" me.

Further, be advised that, as I did in the past, I will continue to vigorously oppose any continuance of the trial date.

While you know my position with respect to your overall battle with Scientology, I believe you have misunderstood my position with respect to the lawsuit in which you and I are involved as co-defendants. Given recent developments which you describe in your declaration with respect to certain disadvantages, I am willing to open my office to you. You may have unlimited and unrestricted use of my office equipment (computers, printers, library, Internet, etc.) through the culmination of the fraudulent transfer action.

XOX,



Michael

cc: Michael & Kima Douglas  
  ~ Ms. Laurie Bartilson, Esq.



2 PAGES

108 Oak Drive  
San Rafael, CA 94901  
fax 415-455-0224

March 31, 1995

Mr. Gerald Armstrong  
715 Sir Francis Drake Blvd.  
San Anselmo, CA 94960  
fax 415-436-5318

Dear Gerry:

I am in receipt of your letter-fax soliciting help from me, and also, via Michael Walton, of your declaration in support of your Ex Parte Application.

I am sorry not to be in a position to help you at this time.

In the meantime:

I object to the way in which you have used my name and Kima's name in your fund solicitation and in your legal declaration, which I consider to have been done in a way which misrepresents the actual situation.

Scientology did not contact me or tell me they would cause me trouble. I contacted them, after receiving your blessing to do so, to request their blessing to my responding to your request for a computer and a loan; Scientology's blessing was not forthcoming.

It is not a question of my "losing heart", as you allege. I told you in early 1992, and have repeated to you since then, that I will not support your litigious activities vis-a-vis Scientology as my sister is a parishioner in that church, and as I myself have no axe to grind with the church. You have known this for almost three years. That you have continued to attempt to involve me in these activities, despite my wishes, does not seem at all friendly -- although I can well imagine that you are feeling desperate these days, and that desperation is clouding your judgment.

I particularly object to the way you have used my name in your declaration. You have no business making public any information about my inheritance, nor do I believe you are privy to any actual knowledge about this. Furthermore, Rinder did not tell me "I could not loan [you] any money, and that if [I] did Scientology would make trouble for [me]". Rinder declined to give me Scientology's blessing, that is all.

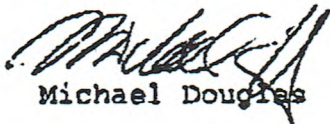
I am further unaware that Kima and I "are two of the Does in the 'fraudulent conveyance' part of this case". You have alleged this repeatedly to me, but as far as I know, no one else is alleging this, and Scientology certainly has not alleged this to me.

In light of the above, I have some simple requests to make of you, which I hope you will grant in light of your statement that you are keeping me in your heart, and in the hope that no further damage is done to our friendship:

1. So long as you are involved with litigation with the Church of Scientology, whether as defendant or plaintiff, or whatever, please do not contact me or Kima.
2. Please cease to use either of our names either in your solicitation of funds, or in legal declarations. I do not currently trust your judgment, or ability to represent facts accurately.

I hope someday that our friendship can be repaired and continue.

Sincerely,



Michael Douglas

cc: Michael Walton

cc: Ms. Laurie Bartilson, Esq.

cc: MIKE RINDER





1 week - April 21

1  
2 Gerald Armstrong  
3 715 Sir Francis Drake Boulevard  
4 San Anselmo, California 94960  
5 Telephone: 415-456-8450

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7 FOR THE COUNTY OF MARIN

8 CHURCH OF SCIENTOLOGY INTERNATIONAL, )  
9 a California not-for-profit )  
10 religious corporation, )

11 Plaintiff,

12 vs.

13 GERALD ARMSTRONG; MICHAEL WALTON; )  
14 THE GERALD ARMSTRONG CORPORATION )  
15 a California for-profit )  
16 corporation; DOES 1 through 100, )  
17 inclusive, )

18 Defendants.

No. 157 680

EX PARTE,  
APPLICATION TO  
CONTINUE HEARINGS  
ON MOTIONS FOR  
SUMMARY ADJUDICATION  
OF 20TH CAUSE OF  
ACTION; AND 13TH,  
16TH, 17TH & 19TH  
CAUSES OF ACTION  
OF 2ND AMENDED  
COMPLAINT

Date: 3/29/95  
Time: 9:00 a.m.  
Dept: One  
Trial Date: 5/18/95

19 TO: CHURCH OF SCIENTOLOGY INTERNATIONAL AND ITS ATTORNEYS OF  
20 RECORD:

21 PLEASE TAKE NOTICE that on March 29, 1995 at 9:00 a.m., in  
22 Department 1 of the above-entitled Court, located at the Hall of  
23 Justice at the Marin County Civic Center, San Rafael, California,  
24 defendant Gerald Armstrong, in pro per, will seek an ex parte  
25 order continuing the hearing on plaintiff's motion for summary  
26 adjudication of the twentieth cause of action of its complaint  
27 presently set for April 14, 1995.

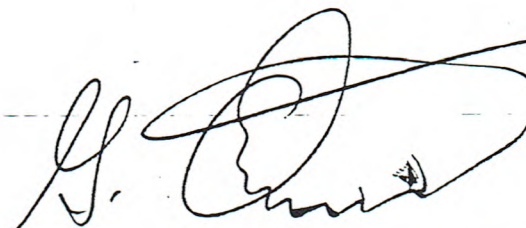
28 This ex parte application is based upon the grounds that  
defendant has been incapacitated by psychic trauma the past two

1 weeks; that Scientology's motion for summary adjudication seeks  
2 an order which is very overreaching and if granted will cripple  
3 defendant and destroy his litigant's and human rights; that the  
4 motion concerns more than twenty people or entities from whom  
5 defendant must obtain declarations in support of his opposition;  
6 that the motion and supporting papers are over six inches of  
7 documents and concern matters over a twenty-five year period of  
8 defendant's life; that defendant is not an attorney and not  
9 represented by an attorney; that defendant has no monetary  
10 resources; that an extension of time will give defendant an  
11 opportunity to obtain an attorney, and give any attorney retained  
12 an opportunity to participate in this very important summary  
13 adjudication motion which will set the stage and parameters at  
14 trial.

15  
16 This ex parte application is based upon this notice, the  
17 attached declaration of Gerald Armstrong, the Court's files and  
18 records in this case and such other material as is presented in  
19 support of this application.

20 DATED: March 28, 1995

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22  
23 By:



24 Gerald Armstrong  
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2 DECLARATION OF GERALD ARMSTRONG

3 I, Gerald Armstrong, declare:

4 1. I am the defendant in this case. I am not an attorney,  
5 not trained as an attorney, and do not have an attorney's  
6 knowledge or skills. Until February 23, 1995 I was represented  
7 by attorney Ford Greene.

8 2. On February 27, 1995 I received from plaintiff  
9 Scientology organization its motion for summary adjudication of  
10 its twentieth cause of action of its complaint. Scientology  
11 seeks a permanent injunction which is overreaching and if granted  
12 would hopelessly cripple me as a litigant, and destroy my civil  
13 and human rights.

14 3. On March 10 this Court signed an order, for which I am  
15 very grateful, granting an ex parte application which extended by  
16 two weeks the time to oppose the above-described motion for  
17 summary adjudication. On March 17 Scientology served on me  
18 another motion for summary adjudication, this of the 13th, 16th,  
19 17th and 19th causes of action of the second amended complaint.  
20 This motion seeks \$200,000.00 in liquidated damages.

21 4. Scientology's motion for summary adjudication of the  
22 20th cause of action and supporting documents is over six inches  
23 thick. The second motion and supporting documents is another two  
24 inches.

25 5. A little over two weeks ago I experienced a profound  
26 spiritual and psychological crisis and my psyche and physical  
27 being are only now beginning to normalize. I lost a great deal

1  
2 of strength and functionality and my normal mode of  
3 communication. I was immobilized and unable to speak at times,  
4 and at other times during this period was able to speak only  
5 haltingly and through great psychic anguish.

6 6. I have, in spite of that, worked as able to oppose  
7 Scientology's motions. I have located and communicated with  
8 almost all of the people, including individuals in the United  
9 Kingdom and South Africa, who will be providing declarations to  
10 support my oppositions. I have a direction for my oppositions  
11 which I believe will be adequate and successful. My request for  
12 an extension, therefore, is not frivolous, but will promote  
13 justice by giving me the chance I need to defend myself.  
14 Scientology will not be prejudiced in any way if an extension is  
15 granted.

16 7. From the time Mr. Greene substituted out I have  
17 attempted to obtain competent counsel to represent me in this  
18 litigation. I have now communicated substantively with eleven  
19 attorneys, each of whom has thus far declined to represent me. I  
20 have also communicated with a number of organizations which have  
21 an interest in the First Amendment issues which my case presents  
22 and which may be able to assist financially or with creating a  
23 public forum for and focus on the case's issues. I am confident  
24 that help is on its way. An extension of two weeks will also  
25 give me an opportunity have an attorney assist in my oppositions  
26 or at least review my work, if I am able to obtain legal help in  
27 the next two weeks. These summary adjudication motions are  
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1  
2 extremely important and will set the stage and guidelines for the  
3 May trial. Any attorney who might become involved in my case  
4 would want to have as much input as possible into what that stage  
5 and guidelines will be.

6 8. I communicated in my last application that I did not  
7 have a computer or printer. I have now obtained a computer and,  
8 God willing, I will have a printer in the next few days. I have  
9 borrowed Ford Green's printer for this document.

10 9. I am requesting that the hearing on the motion for  
11 summary adjudication be set for April 28, 1995.

12 10. I advised Scientology attorney, Laurie Bartilson, by  
13 phone at 11:20 a.m. yesterday that I would seek a continuance of  
14 the hearing date ex parte today if she would not agree to such a  
15 continuance. I followed this up with a faxed letter, a copy of  
16 which is appended hereto as Exhibit A.

17 11. I apologize to the Court for not being able, despite my  
18 best efforts, to meet my commitment after it graciously granted  
19 my earlier request for an extension. I again ask for its  
20 patience and mercy.

21 I declare under the penalty of perjury under the laws of the  
22 State of California that the foregoing is true and correct.

23 Executed at San Anselmo, California, on March 29, 1995.

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GERALD ARMSTRONG

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ORDER

GOOD CAUSE appearing therefor, it is hereby ORDERED that the hearing on plaintiff's motion for summary adjudication of the twentieth cause of action of the second amended complaint, and the hearing on plaintiff's motion for summary adjudication of the thirteenth, sixteenth, seventeenth and nineteenth causes of action of the second amended complaint shall be continued to 9:00 a.m. April 28, 1995.

DATED:

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Judge of the Superior Court





March 28, 1995

Laurie J. Bartilson  
MOXON & BARTILSON  
6255 Sunset Boulevard, Suite 2000  
Los Angeles, CA 90028

By Fax (213)953-3351

RE: Scientology v. Armstrong  
Marin County Superior Court  
Case No. 157 680

Dear Ms. Bartilson:

This is to put in writing our telephone conversation of this morning in which I said that I required an additional two weeks to prepare adequate responses to the two pending summary adjudication motions, and that if you would not grant such I would seek an extension ex parte from Judge Thomas tomorrow morning at 0900, and you said that you not would grant an extension.

Thank you.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gerald Armstrong", with a large, sweeping flourish extending to the right.

Gerald Armstrong  
715 Sir Francis Drake Boulevard  
San Anselmo, CA 94960  
(415) 456-8450

cc: Andrew H. Wilson, Esquire (by fax)  
cc: Michael L. Walton, Esquire (by fax)

1 PROOF OF SERVICE

2 I declare that I am employed in the City and County of Los  
3 Angeles, California.

4 I am over the age of eighteen years and not a party to the  
5 within entitled action. My business address is 6255 Sunset  
6 Boulevard, Suite 2000, Los Angeles, California 90028.

7 On April 7, 1995, I served the attached PLAINTIFF'S OPPOSITION  
8 TO DEFENDANT GERALD ARMSTRONG'S THIRD EX PARTE APPLICATION TO  
9 CONTINUE HEARING ON MOTIONS FOR SUMMARY ADJUDICATION and  
10 DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF PLAINTIFF'S  
11 OPPOSITION TO DEFENDANT GERALD ARMSTRONG'S THIRD EX PARTE  
12 APPLICATION TO CONTINUE HEARING ON MOTIONS FOR SUMMARY ADJUDICATION  
13 on the following in said cause, by hand delivery:

14 Gerald Armstrong  
15 715 Sir Francis Drake Boulevard  
16 San Anselmo, California 94979

17 I declare under the penalty of perjury under the laws of the  
18 State of California that the foregoing is true and correct.  
19 Executed at San Rafael, California on April 7, 1995.

20 \_\_\_\_\_  
21 Laurie J. Bartilson  
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WILSON, RYAN & CAMPILONGO  
235 Montgomery Street, Suite 450  
San Francisco, California 94104

PROOF OF SERVICE

I declare that I am employed in the City and County of San Francisco, California.

I am over the age of eighteen years and not a party to the within entitled action. My business address is 235 Montgomery Street, Suite 450, San Francisco, California.

I am readily familiar with Wilson, Ryan & Campilongo's practice for collection and processing of correspondence for mailing certified mail return receipt requested with the United States Postal Service.

On April 6, 1995, I served the attached **PLAINTIFF'S OPPOSITION TO DEFENDANT GERALD ARMSTRONG'S THIRD EX PARTE APPLICATION TO CONTINUE HEARING ON MOTIONS FOR SUMMARY ADJUDICATION and DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF PLAINTIFF'S OPPOSITION TO DEFENDANT GERALD ARMSTRONG'S THIRD EX PARTE APPLICATION TO CONTINUE HEARING ON MOTIONS FOR SUMMARY ADJUDICATION** on the following in said cause, by placing for deposit with the United States Postal Service on this day in the ordinary course of business, true copies thereof enclosed in a sealed envelope. The envelope was addressed as follows:

Michael Walton  
707 Fawn Drive  
San Anselmo, California 94960

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California on April 6, 1995.

\_\_\_\_\_  
COLLEEN Y. PALMER